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6 Attorney for Defendants Fulton 55, LLC
7 and Tony Martin

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 CALEB L. MCGILLVARY,

12 *Plaintiff,*

13 *v.*

14 NETFLIX, INC., et al.,

15 *Defendants.*

No. 2:23-cv-01195-JLS-SK

**Defendants Fulton 55 and Tony
Martin's Notice of Filing Amended
Memorandum of Points and
Authorities in Support of Motion to
Dismiss Complaint**

16 Date: May 10, 2024
17 Time: 10:30 a.m.
Dep't: Courtroom 8A

18 TO PLAINTIFF CALEB L. MCGILLVARY AND TO THE COURT:

19 TAKE NOTE that defendants Fulton 55, LLC and Tony Martin are filing the
20 Amended Notice of Motion and Motion to Dismiss the Complaint attached as
21 Exhibit 1. The amended motion raises no new arguments from the ones cited in
22 these defendants' original motion (ECF 147). Instead, it cites paragraph and page
23 numbers that correspond to the ones cited in the Second Amended Complaint
24 (ECF 115-2). Defendants make the amendment for Plaintiff's and the court's
25 convenience because their original motion cited to the then-operative First
26 Amended Complaint (ECF 18).

27 In the amended motion, changed page and paragraph numbers are *italicized*.
28 Additions, all of which associate particular arguments to Plaintiff's recently
enumerated counts, are underlined.

1
2 Dated: April 24, 2024

James C. Eschen
Attorney for defendants Fulton 55,
LLC and Tony Martin

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2024, a true copy of the foregoing was served on Plaintiff via U.S. Mail to the address provided in his pleadings:

Caleb L. McGillvary
#1222655/SBI#102317G
New Jersey State Prison
P.O. Box 861
Trenton, NJ 08625

I further certify that I caused a true copy of the foregoing to be served on all defendants' counsel of record via ECF.

Dated: April 24, 2024

Sonia Torrez
Sonia Torrez